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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,661	06/04/2001	Elad Barkan		1312

7590

02/09/2006

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KEFAR SIRKIN,  
ISRAEL

EXAMINER
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KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/871,661

Applicant(s)

BARKAN, ELAD

Examiner

Thjuan P. Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 and 34-39 is/are pending in the application.
- 4a) Of the above claim(s) 1-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-32 and 34-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on November 22, 2005 has been entered. Claims 20-32 have been amended. Claims 1-9 and 33 have been cancelled. Claims 1-19 have been withdrawn. Claims 34-39 have been added. Claims 20-32 and 34-39 are now pending in this application, with claim 20 being independent.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 20-32 and 34-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Geiger et al (US 6,377,810).
3. In regards to claims 20, 28, 29, 36, 37, 38, and 39, Geiger discloses a communication system for wireless communications (See Fig. 1), comprising: a computerized, connected to the Internet, center (See Fig. 1 and controller 20) for forwarding information (e.g. location information) as required to establish an IP connection between a first user (See Fig. 1 and requesting entity 25) and a second user

(See Fig. 1 and mobile device 15) where at least one of them is using wireless or a cellular or cordless hand held device (See col. 3 lines 51-55); an add on plurals of base station (See Fig. 1 and base stations 11, 12, and 13) which connects to the Internet (See Fig. 1 and Internet 24) or Intranet (See col. 1-2 lines 51-5) comprising: communication link to a user having a wireless or cellular or cordless hand held device (See col. 3 lines 51-55); means to communicate with the computerized center in order to get the appropriate IP address (e.g. location) of the second user (See col. 2 lines 18-44 and col. 3-4 lines 51-6); means to establish the communication of the first user with the second user via the Internet (See col. 1-2 lines 62-10 and col. 6-7 lines 60-8).

4. In regards to claim 21, Geiger discloses the system, wherein the computerized center is distributed to create distributed computerized center (See col. 2 lines 18-44).

5. In regards to claim 22, Geiger discloses the system, wherein the computerized center has means to control the operation of the add on base stations (See col. 2 lines 18-44).

6. In regards to claims 23 and 25, Geiger discloses the system, wherein the computerized center has cryptography means to preserve the privacy and or anonymity of the users (See col. 2-3 lines 60-17 and col. 3 lines 40-50).

7. In regards to claim 24, Geiger discloses the system, wherein the computerized center has means to establish the billing criteria of a communication between users (See col. 5 lines 49-63).

8. In regards to claims 26 and 27, Geiger discloses the system, wherein the computerized center has means to acquire, keep and monitor the physical location of the base stations (See col. 2 lines 18-44).
9. In regards to claim 30, Geiger discloses the system, wherein the base station is connected to the Internet and has an IP address (See Fig. 1 and col. 1-2 lines 51-5).
10. In regards to claim 31, Geiger discloses the system, wherein the base station has means to create two way communications between the user and a remote user (See col. 1 lines 51-57).
11. In regards to claim 32, Geiger discloses the system, wherein the hand held device can assume some of the rules of the base station, such as communicating with the computerized center (See col. 2 lines 18-44).
12. In regards to claim 34, Geiger discloses the system, wherein each base station has a unique ID that is independent of its IP address (See col. 3 lines 31-50).
13. In regards to claim 35, Geiger discloses the system, wherein the location of the base station can be an on-going conversation (See col. 3 lines 51-55).

### ***Response to Arguments***

14. Applicant's arguments with respect to claims 20-32 and 34-39 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

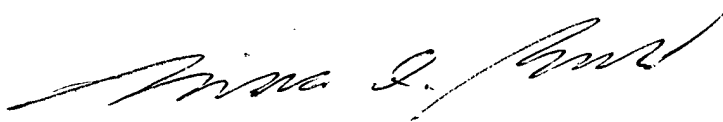
15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee et al (US 6,683,871) teach an Internet protocol telephony. Skog (US 6,545,988) teaches a method and device in telecommunications network. Lee et al (US 6,847,632) teach a method and apparatus for digital cellular Internet voice communications.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin



**BING Q. BUI**  
**PRIMARY EXAMINER**